



SO ORDERED,

Jason D. Woodard
Judge Jason D. Woodard
United States Bankruptcy Judge

The Order of the Court is set forth below. The case docket reflects the date entered.

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

IN RE: SHELBY PATEN

CHAPTER 7

DEBTOR

CASE NO. 18-11243 JDW

ORDER AVOIDING LIEN [DOC NO. 14]

THIS matter comes before the Court on the above referenced Debtor(s) Motion to Avoid Lien of **Tower Loan of Mississippi, LLC** (the Creditor) pursuant to 11 U.S.C. § 522(f) and Federal Rules of Bankruptcy Procedure 4003(d) and 9014 (the "Motion")(Docket No. 14). The Debtor(s) has/have represented to the Court that all parties in interest were timely served with the Motion, no party has objected to the relief requested in the Motion by the deadline set by the Court. Based on the Debtor(s) representations, the Court finds and concludes as follows:

1. The Debtor(s) exempted certain household goods of type set for in 11 U.S.C. §522(f)(1)(B), as listed on Schedule C filed by the Debtor(s) in this bankruptcy case. specifically the items in **UCC Financing Statement File No. 20162035651A.**
2. The existence of the Creditor's lien against the Debtor(s) property impairs exemptions to which the Debtor(s) would be entitled under Title 85, Chapter 3 of

the Mississippi Code and 11 U.S. C. § 522(f) . Accordingly, it is hereby

ORDERED, ADJUDGED AND DECREED that

1. The Motion is **GRANTED**.
2. The nonpossessory, nonpurchase money lien held by the Creditor against the Debtor(s) exempt household goods as set for in 11. U.S.C. §522(f)(1)(B), specifically, **UCC Financing Statement File No. 20162035651A**, is/are **AVOIDED**, and the lien(s) is/are hereby extinguished as to that property and shall not survive bankruptcy, affix to, or remain enforceable against that property, unless this case is dismissed prior to entry of Debtor(s) discharge.
3. To the extent the Creditor's lien is avoided by this Order, Creditor shall be treated as general unsecured creditor in this case.

#END OF ORDER#

PREPARED BY:

ROBERT H. LOMENICK, JR., MSB #104186
ALLEN CHERN LAW, LLC
126 NORTH SPRING STREET
POST OFFICE BOX 417
HOLLY SPRINGS, MISSISSIPPI 38635
(662) 252-3224/rlomenick@gmail.com